

02v9477
Kearnan

CIVIL, CLOSED

U.S. District Court
Eastern District of California - Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:07-cv-01872-LKK-EFB
Internal Use Only

#4

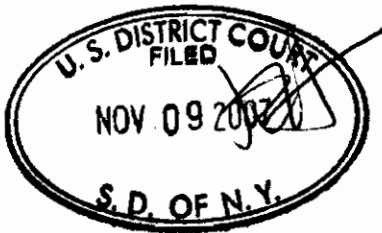
Hight v. Merck & Co., Inc.
Assigned to: Senior Judge Lawrence K. Karlton
Referred to: Magistrate Judge Edmund F. Brennan
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 09/11/2007
Date Terminated: 11/05/2007
Jury Demand: Both
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

Ernestine Hight

represented by **Clifford Lee Carter**
Clayco C. Arnold, A Professional Law
Corporation
608 University Avenue
Sacramento, CA 95825
(916) 924-3100
Fax: (916) 924-1829
Email: cliff@ccalawcorp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED



V.

Defendant

Merck & Co., Inc.

represented by **Jeffrey Marc Tanzer**
Venable LLP (Los Angeles)
2049 Century Park East
Suite 2100
Los Angeles, CA 90067
(310) 229-9900
Fax: (310) 229-9901
Email: jtanzer@venable.com
ATTORNEY TO BE NOTICED

I hereby certify that the annexed
instrument is a true and correct copy of
the original on file in my office.
ATTEST: **VICTORIA C. MINOR**
Clerk, U. S. District Court
Eastern District of California
By _____ NOV - 5 2007 Deputy Clerk
Dated _____

Date Filed	#	Docket Text
09/11/2007	4	(Court only) SUBMISSION of CREDIT CARD INFORMATION for Civil Complaint Filing Fee in the amount of \$350.00; Type of Credit Card: American Express Name as it appears on Credit Card: Clifford L. Carter Contact Telephone Number: (916) 924-3100 Street: 608 University Avenue

		<p>Zip code: 95825 Credit Card Number: xxxx-xxxx-xxxx-xxxx Expiration Date: xx/xx Security Code: xxx (Carter, Clifford) (Entered: 09/11/2007)</p>
09/11/2007	● <u>1</u>	<p>COMPLAINT against Merck & Co., Inc. by Ernastine Highet. Attorney Carter, Clifford Lee added. (Attachments: # <u>1</u> Summons# <u>2</u> Civil Cover Sheet)(Carter, Clifford) (Entered: 09/11/2007)</p>
09/11/2007	● <u>2</u>	<p>(Court only) PROCESS CREDIT CARD (Kaminski, H) (Entered: 09/11/2007)</p>
09/11/2007	●	<p>RECEIPT number #CAE200001076 \$350.00 fbo Ernastine Highet by Clifford L. Carter on 9/11/2007. (Kaminski, H) (Entered: 09/11/2007)</p>
09/11/2007	● <u>3</u>	<p>SUMMONS ISSUED as to *Merck & Co., Inc.* with answer to complaint due within *20* days. Attorney *Clifford Lee Carter* *Clayeo C. Arnold, A Professional Law Corporation* *608 University Avenue* *Sacramento, CA 95825*. (Kaminski, H) (Entered: 09/11/2007)</p>
09/11/2007	● <u>4</u>	<p>CIVIL NEW CASE DOCUMENTS ISSUED;Initial Scheduling Conference set for 12/3/2007 at 10:00 AM in Courtroom 4 (LKK) before Senior Judge Lawrence K. Karlton. (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Kaminski, H) (Entered: 09/11/2007)</p>
09/26/2007	● <u>5</u>	<p>CERTIFICATE of SERVICE by Ernastine Highet. (Carter, Clifford) (Entered: 09/26/2007)</p>
10/03/2007	● <u>6</u>	<p>ANSWER to COMPLAINT with Jury Demand by Merck & Co., Inc.. Attorney Tanzer, Jeffrey Marc added.(Tanzer, Jeffrey) (Entered: 10/03/2007)</p>
11/05/2007	● <u>7</u>	<p>CONDITIONAL TRANSFER ORDER by Clerk of the Panel, CASE TRANSFERRED to USDC Southern District of New Your 07cv9477, Judge John F. Keenan; MDL No. 1789. Electronic case file, certified copy of transfer order, and docket sheet sent. CASE CLOSED (Reader, L) (Entered: 11/05/2007)</p>
11/05/2007	● <u>8</u>	<p>TRANSMITTAL of DOCUMENTS on *11/5/2007* to * USDC Southern District of New York* *500 Pearl Street* *New York, NY 10007*. ** *Electronic Documents: 1 to 8. *. (Reader, L) (Entered: 11/05/2007)</p>

UNITED STATES DISTRICT COURT
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, N.Y. 10007
(212)805-0136

J. Michael McMahon
Clerk

USDC ED OF CALIFORNIA

Date: 10/24/07

In Re: FOSAMAX

MDL 1789

Your Docket #

S.D. OF N.Y.

2:07-1872

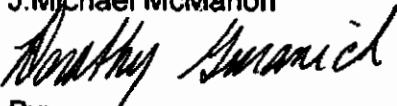
07 CV 9477

Dear Sir:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation, transferring the above entitled action presently pending in your court, to the Southern District of New York and assigned to Judge KEENAN for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

Please return the copy of this letter when transmitting YOUR FILE and a CERTIFIED COPY OF THE DOCKET SHEET.

Sincerely,
J. Michael McMahon



By:
MDL Unit

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
ATTEST: VICTORIA C. MINOR

Clerk, U. S. District Court,
Eastern District of California

By NOV - 5 2007 Deputy Clerk

Dated _____

07 CIV 9477

A CERTIFIED TRUE COPY

OCT 15 2007

JUDGE KEENAN

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP 27 2007

FILED
CLERK'S OFFICEATTEST *[Signature]*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATIONFLD
STG/ny
10/24/07

IN RE: FOSAMAX PRODUCTS LIABILITY LITIGATION

Ernestine Hight v. Merck & Co., Inc.,
E.D. California, C.A. No. 2:07-1872

MDL No. 1789

CONDITIONAL TRANSFER ORDER (CTO-35)

On August 16, 2006, the Panel transferred four civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 444 F.Supp.2d 1347 (J.P.M.L. 2006). Since that time, 90 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable John F. Keenan.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Keenan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of August 16, 2006, and, with the consent of that court, assigned to the Honorable John F. Keenan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

[Signature]
Jeffery N. Luthi
Clerk of the Panel

A CERTIFIED COPY
J. MICHAEL McMAHON,

CLERK

BY

[Signature]
DEPUTY CLERK

Inasmuch as no objection is
pending at this time, the
stay is lifted.

OCT 15 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION